



Docket No.: 239587US2DIV

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/607,980
Applicants: Kenji YAMADA, et al.
Filing Date: June 30, 2003
For: FINISHER FOR AN IMAGE FORMING APPARATUS
Group Art Unit: 3653
Examiner: Kohner, M.J.

SIR:

Attached hereto for filing are the following papers:

COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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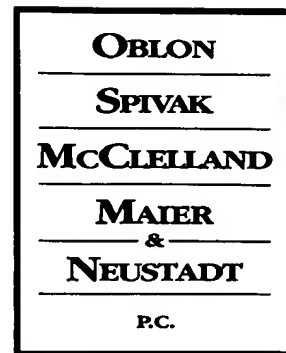
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DOCKET NO: 23587US2DIV

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
KENJI YAMADA, ET AL. : EXAMINER: KOHNER, M. J.
SERIAL NO: 10/607,980 :
FILED: JUNE 30, 2003 : GROUP ART UNIT: 3653
FOR: FINISHER FOR AN IMAGE :
FORMING APPARATUS :

COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Notice of Allowance dated July 13, 2004, Applicants wish to present the following comments on the Examiner's Statement of Reasons for Allowance in that Notice of Allowance.

COMMENTS

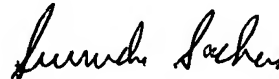
In the Notice of Allowance dated July 13, 2004, the Examiner sets forth reasons for allowance on pages 2-3. Applicants wish to present the following comments as applicants believe that the Examiner's Statement of Reasons for Allowance are not properly commensurate with all the claims.

More particularly, the Examiner indicates reasons for allowance with respect to each of independent claims 37 and 42, but indicates the recitation of a "control means", "lower limit position sensing means", and "stand-by position sensing means". Applicants note independent claim 37 recites such elements, but independent claim 42 does not recite such elements. Instead, independent claim 42 recites "a controller", "a lower limit position sensor", and "a stand-by position sensor". Applicants wish to point out that allowed independent claim 42 does not recite limitations in "means-plus-function" format and that independent claim 42 should not be so interpreted. Thus, applicants wish to clarify that with respect to independent claim 42 the Examiner's Statement of the Reasons for Allowance are not in accordance with the claim language.

However, applicants respectfully submit that independent claim 42 is still allowable over the applied art.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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(OSMMN 06/04)

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OSMM&N File No. 239587US2DIV
v Serial No. 10/607,980

Dept.: E/M

By: GJM/SNS/jrs

In the matter of the Application of: Kenji YAMADA, et al.

For: FINISHER FOR AN IMAGE FORMING APPARATUS

Due Date: N/A

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Dep. Acct. Order Form
- Cover Letter
- Petition Under 37 C.F.R. § 1.181
- Copies of IDS papers filed 06/04/2004:
 - Date-stamped Filing Receipt
 - IDS Transmittal
 - Form PTO-1449



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OSM File No. 239587US2DIV

Dept.: IP-1

By: MJS/SNS/ams

Serial No. 10/607,980

In the matter of the Application of: Kenji YAMADA, et al.

For: FINISHER FOR AN IMAGE FORMING APPARATUS

Due Date: 06/15/04

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■ Dep. Acct. Order Form

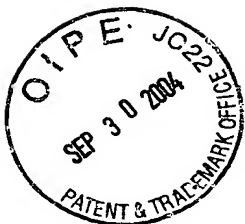
■ Information Disclosure Statement

■ PTO-1449

■ Cited References (4)



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Examiner: Kohner, M.J.

SIR:

Attached hereto for filing are the following papers:

**PETITION UNDER 37 C.F.R. § 1.181;
COPIES OF IDS PAPERS FILED 06/04/2004 - DATE STAMPED FILING RECEIPT,
IDS TRANSMITTAL, FORM PTO-1449**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

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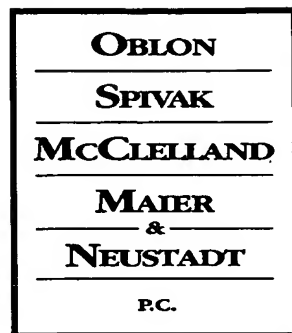
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